

ENVIRONMENTAL PERMIT REVIEW COMMISSION MINUTES

Monday, September 30, 2019, 1:00 p.m. – 3:30 p.m.

Michigan Department of Environment, Great Lakes, and Energy (EGLE)
Constitution Hall, Con Con Conference Room, Atrium Level South
525 West Allegan Street, Lansing, Michigan

COMMISSION MEMBERS:

Members Present:

Bryan Burroughs
Dana Kirk
Evan Pratt

Matthew Germane
Dirk Mammen
Mark Prein

Jeff King
Lori Myott
Brad Venman

Members Present via Telephone:

Theodore Bornhorst

Jamie Buckingham

Members Absent:

Tony Anthony
Mark Henne

Dennis Bittner

Dave Hamilton

EGLE Staff:

Amy Epkey

Candra Wilcox

1. Roll Call

Meeting was called to order at 1:04 p.m. Roll call was taken with a quorum present.

2. Approval of Agenda

Motion: Evan Pratt made a motion to approve the agenda as provided; Dirk Mammen seconded the motion. The motion was approved by all members present.

3. Approval of Minutes from April 29, 2019, Meeting

Motion: Evan Pratt made a motion to approve the minutes as provided; Brad Venman seconded the motion. The motion was approved by all members present.

4. Petition for Permit Review Process

Dave Fiedler, EGLE, provided an overview of the petition for permit review process. The department has 45 days to either resolve the issue or convene a meeting of a three-

member panel, as selected by the EGLE Director, when a pre-decisional petition is received. A Panel would then provide a written recommendation to the EGLE Director within 45 days of the panel meeting. The EGLE Director has 60 days to make a final recommendation.

When EGLE receives a petition, the department needs to ensure that a permit has not been issued, denied, or withdrawn. The department must also determine whether the petitioner has submitted a complete application along with paying the necessary fees.

Currently, the department has received two petitions under this process. Both petitioners did not submit a complete application along with the necessary fees, therefore, the petitions could not go through this process. The department is currently working with both petitioners to resolve their issues.

5. Petition for Contested Case Review Process

Matthew Germane, EPRC, provided an update on the process for the petition for contested case review. The panel completed the second meeting of the panel today with briefings submitted by both parties along with questions being answered.

The Michigan Office of Administrative Hearings and Rules' (MOAHR) role is to support the EPRC and will serve as the law clerk for the panel. MOAHR staff will help write the final decision and provide legal expertise.

The Commission discussed the need for an alternative to be selected for the panel in case a panel member is unexpectedly unavailable.

6. Commissioner Email Accounts

State of Michigan email accounts and instructions were provided to Commission members. All communications to and by board members should be conducted through these email accounts.

7. 2020 Tentative Meeting Schedule

Motion: Evan Pratt made a motion to approve the 2020 meeting schedule as provided; Bryan Burroughs seconded the motion. The motion was approved by all members present.

8. Public Comment

There was no public comment.

9. Adjournment

Motion: Dirk Mammen made a motion to adjourn; Lori Myott seconded the motion. The motion was approved by all members present and the meeting was adjourned at 2:18 p.m.

DRAFT